

09/474,980 – Response to O/A of 11/6/2003

**Remarks:**

Claims 32-38 are pending.

Claims 32-38 are rejected under 35 U.S.C. §112, first paragraph, as allegedly lacking written description support in the specification. In particular, the Office alleges that the genus of sequences of about 80% or greater identity to SEQ ID NO:221 is not sufficiently described, and is not described in such a way as to be distinguishable from other neurotrophic factors. The claims, as amended, recite antibodies that are capable of reacting with the persephin of SEQ ID NO:221. Thus, it is believed that this rejection is rendered moot. Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 32-38 are rejected under 35 U.S.C. §112, first paragraph as not being enabled by the specification. Specifically, the Office alleges that while being enabled for antibodies directed toward the human persephin polypeptide of SEQ ID NO:221, the specification does not reasonably enable for generating antibodies against any polypeptide without sufficiently defined/distinguishable structural and functional characteristics. In view of the amendment to claim 32, this rejection is moot. Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 32-38 are rejected under 35 U.S.C. §102(e) as being anticipated by Johnson et al. (U.S. Patent No. 6,090,778). Specifically, Johnson is cited as teaching a method of preparing antibodies to neuriturin. In view of the amendment to claim 32, it is believed that this rejection is moot. Specifically, Johnson does not teach the persephin, as depicted in SEQ ID NO:221. Thus, Johnson cannot anticipate the claimed antibodies that react with SEQ ID NO:221.

**IDS:** The Office indicates that a copy of Sloan et al. (1991) was apparently not included with the IDS filed 6/23/2000. Applicant will forward a copy of that reference as soon as possible.

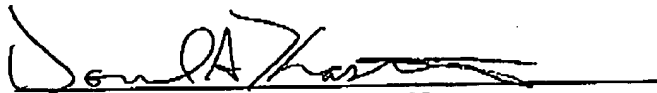
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**Conclusion:**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



Daniel S. Kasten, Reg. #45363  
Thompson Coburn LLP  
One US Bank Plaza  
St. Louis, Missouri 63101  
Telephone: 314-552-6305  
Fax: 314-552-7305